

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 1, 2009

DIVISION ONE

B209412 People (Not for Publication)
v.
Supek

The judgment is affirmed.

Weisberg, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

DIVISION TWO

B203810 People (Not for Publication)
v.
Vasquez

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

DIVISION TWO (continued)

B209378 People (Not for Publication)
v.
Denis

The judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

B211557 People (Not for Publication)
v.
Seehausen

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Chavez, J.

B203315 Baker (Not for Publication)
v.
Nawn, et al.

The judgment is reversed. The postjudgment order awarding attorney fees is reversed. The case is remanded to the trial court for further proceedings to address the issue of attorney fees to be awarded to Baker, as the prevailing party. Baker is awarded his attorney fees and costs for this appeal.

Boren, P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

June 1, 2009 (Continued)

DIVISION TWO (continued)

B210318 Mega International Commercial Bank Co. (Not for Publication)
 v.
 She-Ying Chin Wang

The judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.
 Chavez, J.

B204507 People
 v.
 Williams

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

Each of the following:

B206770 People v. Cortes
B210533 People v. McIntyre
B207597 People v. Kyle and Block
B210453 In re J.A.

Argument waived, cause submitted.

DIVISION FIVE (continued)

B206770 People
 v.
 Ousama Haddad

Merits:

Argued by Richard Fitzer for appellant and by Michael Johnsen, deputy attorney general, for respondent. Cause submitted.

B208334 Wayne Barber
 v.
 Kay Mendoza

Merits:

Argued by Lloyd Chapman for appellant and by Christine Barber for respondent. Submission deferred pending filing of appellant's reply brief.

Court recessed.

Court reconvened at 9:55 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

B208334 Sunthorn Sunchai
 v.
 Council of Thai Bhikkhus

Merits:

Argued by David Allen for respondent. Appellant waived argument. Cause submitted.

Court recessed.

Court reconvened at 11:00 a.m.

Present: Turner, P.J., Mosk, J., Kriegler, J., and J. Belcher and D. Nolan, Deputy Clerks.

DIVISION FIVE (continued)

Each of the following:

B211180 People v. Tyson
B208573 People v. Rios
B208718 People v. Orozco and Espino
B214736 DCFS v. SCLA (YH)
B210688 People v. Classen

Argument waived, cause submitted.

B210931 Food Makers Bakers Equipment, etc.
 v.
 Redevelopment Agency for the City of Monrovia

Merits:
Argued by Rick Rayl for appellant and by Thomas Jimbo for respondent.
Cause submitted.

B210634 J. DeLuca Fish Company
 v.
 State Fish Company

Merits:
Argued by Michael Leight for appellant and by Patrick Maloney for
respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and J. Belcher, Deputy Clerk.

Each of the following:

B211317 DCFS v. A.H.
B206571 People v. Nelson

Argument waived, cause submitted.

DIVISION FIVE (continued)

B208139 People
 v.
 Leonard Russell

Merits:
Argued by Lawrence Young for respondent and by Nima Razfar, deputy attorney general, for respondent. Cause submitted.

B204638 Javier D.L.O.
 v.
 Roberto Elenes

Appearances:
Jeffrey Leist appears for appellant and Ron Alikani appears for respondent. Argument waived, cause submitted.

B208253 Sabrina Souiri
 v.
 Kovac Media Group, Inc. et al

Merits:
Argued by Patrick Mesica for appellant and by Filomena Meyer and Mira Hashmall for respondents. Cause submitted.

B206166 People
 v.
 Archie Watkins

Merits:
Argued by Kathleen Redmond for appellant and by Blythe Leszaky, deputy attorney general, for respondent. Cause submitted.

DIVISION FIVE (continued)

B208336 Fireman's Fund Insurance Company
v.
Robert De Niro

Merits:

Argued by Jaymeson Pegue for appellant and by David Codell for respondent. Cause submitted.

B206672 City of Montebello
v.
Jaye Uribe

Merits:

Argued by Mark Goodfriend for appellant and by Kira Klatchko for respondent. Cause submitted.

Court adjourned.

DIVISION SIX

B210715 People v. Emery (Not for Publication)

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SIX (continued)

B204826 People (Not for Publication)
v.
Cooper

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B208893 People (Not for Publication)
v.
Perez

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B214171 J.T. (Not for Publication)
v.
Santa Barbara Superior Ct.
Santa Barbara Co. Child Welfare Serv.

We deny the petition for extraordinary writ.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

June 1, 2009 (Continued)

DIVISION SIX (continued)

B208369 People (Not for Publication)
v.
Alvarado

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B209909 People (Not for Publication)
v.
Guerrero

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B207198 People (Not for Publication)
v.
Tokio

The order granting Tokio's motion for a new trial is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION SIX (continued)

[illegible]

The judgment is modified as follows: (1) As to each of the three consecutive life terms for the rape convictions, appellant shall not be eligible for release on parole for 25 years. (2) As to the two section 12022.3 enhancements, the stay pursuant to section 654 is lifted. (3) A parole revocation fine of \$200 (Section 1202.45) and an aggregate court security fee of \$60 (Section 1465.8, subd. (a)(1)) are imposed. The parole revocation fine is suspended unless appellant's parole is revoked. As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment showing the modified judgment and correcting the clerical errors discussed in part IV of this opinion. The trial court is further directed to forward a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B206638 People (Not for Publication)
v.
Alonzo

We modify the judgment by vacating Alonzo's convictions and stayed terms on counts 2 and 5. We order the trial court to amend the abstract of judgment accordingly and forward the amended abstract to the Department of Corrections and Rehabilitation. The judgment is otherwise affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SIX (continued)

B208398 People (Not for Publication)
v.
Nunnery

We reverse and remand for resentencing on count 7 (felon in possession of firearm). The trial court is directed to strike the firearm enhancement on count 7 and to impose a new sentence that does not exceed the original sentence of 50 years to life. The judgment of conviction is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

DIVISION SEVEN

B208303 People (Not for Publication)
v.
Maloy

The judgment and order are affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B207299 Los Angeles County, D.C.F.S. (Not for Publication)
v.
D. P.,

The April 7 order is affirmed. The April 21 order is reversed and remanded to the Los Angeles juvenile court to hold a contested 366.21 review hearing and address the issue of which parent should have custody of M.

Woods, J.

We concur: Perluss, P.J.
Jackson, J.

DIVISION SEVEN (continued)

B213914 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Monica R.

The appeal is dismissed.

Zelon, J.

We concur: Perluss, P.J.
Jackson, J.

B206537 Los Angeles County, D.C.F.S.
v.
Robin F.

Filed order denying petition for rehearing.

DIVISION EIGHT

B202935 People (Not for Publication)
v.
Orta

For the reasons set forth above, the judgment is affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
Bauer, J. (Assigned)